



State of Louisiana
Louisiana Department of Health
Bureau of Health Services Financing

VIA E-MAIL ONLY

November 10, 2021

Dr. Christy Valentine-Theard, CEO
Healthy Blue
10000 Perkins Rowe Suite G-510
Baton Rouge, LA 70810

RE: Notice of Action – Failure to Provide NEMT Timely

Dear Dr. Valentine-Theard:

Healthy Blue (HBL) failed to provide timely medically necessary non-emergency transportation (NEMT) for its member in contravention of its contract with the Louisiana Department of Health (LDH). The contract provides:

7.8.9.2. For medically necessary non-emergent transportation requested by the member or someone on behalf of the member, the MCO shall schedule the transportation and require its NEMT/NEAT provider to meet the following standards:

7.8.9.2.1. Ensure that members arrive at least fifteen (15) minutes, but no more than two (2) hours, prior to their appointments;

7.8.9.2.2. Ensure that members are picked up no more than two hours after the appointment has concluded; and

7.8.9.2.3. Ensure that members shall not be in the vehicle for more than one hour beyond the estimated travel time.

On July 19, 2021, LDH was contacted by South Bossier Dialysis (SBD) regarding member Isaiah Summage. The member is scheduled for dialysis every Monday, Wednesday and Friday at 5:15 AM. SBD reported that the member often does not arrive at the dialysis unit until 6:30 AM or after, due to the transportation provider not arriving on time at the member's residence to transport the member to the appointments. This results resulting in shortened treatment time for each appointment.

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LDH requested that HBL provide complete details for all transportation for the member from April 1, 2021 through July 19, 2021. On July 26, 2021, HBL responded and submitted a spreadsheet of the member's transportation from April 1, 2021 through July 19, 2021. After reviewing, LDH reached out to SBD on October 11, 2021, to verify if the member missed any chair time due to being late to his appointments. In a telephone conversation with LDH, SBD verbalized that the member had experienced shortened treatment time on multiple dates due to arriving late. SBD verified that, on *9 occasions*, the member missed chair time due to arriving late. SBD stated that the member missed more than 30 minutes and up to just over an hour of chair time on a few occasions. SBD reported it has a buffer built in between patients, but arrivals more than one hour late cannot receive a full dialysis treatment. As a result, the member's dialysis appointments were changed to 5:50 AM.

Failure to adhere to the contract requirements cited herein carries a monetary penalty per occurrence per calendar day of non-compliance of \$5,000 as outlined in Section 20.3.3 of the contract between HBL and LDH. Should HBL, in the future fail to provide NEMT timely, penalties may be assessed for each occurrence each day of HBL's non-compliance.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Stacy Guidry

Section Chief, Medicaid Program Operations and Compliance

SG/lj

cc: Michael Boutte
Brandon Bueche
Melanie Doucet
Patrick Gillies
Veronica Gonzalez
Justin Owens
Kim Sullivan
Christina Wilson
File: HBL2-50